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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,529	09/12/2003	Louis Borgeat	16046-1US-2 IC/DP/mft	5310
20988	7590	10/04/2004	EXAMINER	
OGILVY RENAULT 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			ARK, DARREN W	
		ART UNIT		PAPER NUMBER
		3643		
DATE MAILED: 10/04/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/660,529	BORGEAT, LOUIS <i>ST</i>
	Examiner Darren W. Ark	Art Unit 3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/12/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Axelsson 3,175,323.

Axelsson discloses a fly fishing rod (structure of the rod is not being particularly claimed) including a handgrip (intermediate portion of 44), a hollow cylindrical reel seat (13, 14, 19; reel seat not particularly claimed), a rod shaft (44) with a portion extending past the handgrip (closer to the end of 44 inserted into 29), a sleeve like adapter (28) formed with an engaging locking means (37), the reel seat (14) being slidable over the adapter and formed with an engageable member (34) arranged to be engaged by the engaging locking means (37) for connecting the reel seat to the handgrip (see Figs. 1, 2) and to be removed therefrom by disengaging the engageable member from the engaging locking means (via 36).

In regard to claims 6-8, Axelsson discloses handle means (11, 36, or 43) which is wing shaped (11 and 43 extend in a cantilevered manner).

In regard to claim 9, Axelsson discloses at least one adherence device (longitudinal slots in 28 as shown in Figs. 1, 2, & 4).

3. Claims 1-6, 9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Casset 4,133,133.

Casset discloses a fly fishing rod (structure of the rod is not being particularly claimed) including a handgrip (intermediate portion of 10), a hollow cylindrical reel seat (13; reel seat not particularly claimed), a rod shaft (10) with a portion extending past the handgrip (end of 10 closer to 8), a sleeve like adapter (1) formed with an engaging locking means (4, 5), the reel seat (13) being slidable over the adapter and formed with an engageable member (36 in Fig. 2) arranged to be engaged by the engaging locking means (5) for connecting the reel seat to the handgrip (see Fig. 2) and to be removed therefrom by disengaging the engageable member from the engaging locking means (when 36 is taken out of 5); a handle means (any portion of 13 which may be grasped to manipulate the position of 13 and 36 relative to 5).

In regard to claim 4, Casset discloses the groove having longitudinal and transversal portions (see straight portion of 5 extending along 10 and the round portion which extends in a transverse direction from the straight portion).

In regard to claim 9, Axelsson discloses at least one adherence device (17, 30, 31).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Ark whose telephone number is (703) 305-3733. The examiner can normally be reached on M-Th, 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on (703) 308-2574. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Darren W. Ark
Primary Examiner
Art Unit 3643

DWA